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Energy West Mining Company
P. O. Box 310
15 No Main Street
Huntington, Utah 84528

January 23, 2008

Utah Coal Program
Division of Oil, Gas, and Mining
1594 North West Temple, Suite 1210
Salt Lake City, Utah 84114-5801

Ken Fleck
1/15/2008

Re: Deficiency Response to Notice of Intent to Conduct Minor Coal Exploration, Task ID #2911
#2886, PacifiCorp, Deer Creek Mine, C/015/0018, Emery County, Utah

PacifiCorp, by and through its wholly-owned subsidiary, Energy West Mining Company ("Energy West") as mine operator, hereby submits deficiency responses to the Division's findings for minor exploration within the Deer Creek permit.

Energy West submitted a Notice of Intent to Conduct Minor Coal Exploration in the Utah State Coal Lease ML-48258 in November 2007. The Division reviewed the application and found that further information is needed prior to approval. The Division's Technical Analysis document was received on January 21, 2008.

Energy West has reviewed and responded to the deficiencies. This response is attached hereto. Three (3) redlined and three (3) clean copies of pages 9 - 11 of the Notice of Intent to Conduct Minor Coal Exploration, Utah State Coal Lease ML-48258, November, 2007 are attached along with the required C1/C2 forms.

If you have any questions or concerns regarding this submittal, please contact myself at 435-687-4712 or Dennis Oakley at 435-687-4825.

Sincerely,

Ken Fleck

Ken Fleck
Manager of Geology and Environmental Affairs

Encl

cc file

RECEIVED

JAN 28 2008

1594 NORTH WEST TEMPLE SUITE 1210
SALT LAKE CITY, UTAH 84114-5801

The following responses to deficiencies are formatted as found in the technical analysis document. They are broken down into logical section headings similar to the R645 regulations. In each section, the regulation number along with the associated deficiency is followed by the Permittee's italicized response.

R645-201-100; A Class I literature search and a Class III ground survey of the proposed exploration sites need to be completed weather permitting and submitted to the Division and SHPO for concurrence prior to approval.

Both the Class I literature search and the Class III ground survey have been completed. Energy West contracted EarthTouch LLC (Scott Billat) to conduct the surveys for the 2008 drilling program. According to Mr. Billat, no known sites are situated at the proposed drill locations. His report, however, has not been finalized. Upon completion of the file and field review, Energy West will transmit the report to the Division.

R645-202-200; Page 9 of the application includes a description of the vegetation in the canyon bottoms, south and north slopes. The application needs to include a map depicting the vegetative communities and a narrative that describes the communities within the proposed drill site locations.

Page 10 of the application references TES surveys for (surface facilities, permit extension, and powerline , and the Mill fork leasing process). The applicant needs to demonstrate which survey or surveys include the locations of the proposed drill sites. The application needs to include a current list of Threatened and Endangered plant and animal species for the drill site locations, (Emery County). The listing may be obtained from www.fws.gov/mountain-prairie/endspp/CountyLists/UTAH.htm.

A reference of the Deer Creek MRP, Volume 12 has been placed in the application for both vegetation information and the information for all TES plant and animal species that could potentially be found in the area. Pages 9 and 10 of the application show these references. These amended pages area included with this submittal.

Detailed Schedule Of Changes to the Mining And Reclamation Plan

Permittee: PacifiCorp

Mine: Deer Creek Mine

Permit Number: C/015/0018

Title: Deficiency Response to Notice of Intent to Conduct Minor Coal Exploration, Task ID #2886, PacifiCorp, Deer Creek Mine, C/015/0018, Emery County, Utah

Provide a detailed listing of all changes to the Mining and Reclamation Plan, which is required as a result of this proposed permit application. Individually list all maps and drawings that are added, replaced, or removed from the plan. Include changes to the table of contents, section of the plan, or other information as needed to specifically locate, identify and revise the existing Mining and Reclamation Plan. Include page, section and drawing number as part of the description.

DESCRIPTION OF MAP, TEXT, OR MATERIAL TO BE CHANGED

Notice of Intent to Conduct Minor Coal Exploration, November 2007, pages 9, 10, and 11.

Table with 3 columns: Add, Replace, Remove. The first row has 'Replace' checked. There are 25 rows in total.

Any other specific or special instruction required for insertion of this proposal into the Mining and Reclamation Plan.

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JAN 28 2008

Oil, Gas & Mining

APPLICATION FOR COAL PERMIT PROCESSING

Permit Change New Permit Renewal Exploration Bond Release Transfer

Permittee: PacifiCorp

Mine: Deer Creek Mine

Permit Number: C/015/0018

Title: Deficiency Response to Notice of Intent to Conduct Minor Coal Exploration, Task ID #2886, PacifiCorp, Deer Creek Mine, C/015/0018, Emery County, Utah

Description, Include reason for application and timing required to implement:

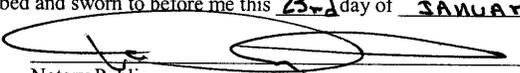
Instructions: If you answer yes to any of the first eight (gray) questions, this application may require Public Notice publication.

- Yes No 1. Change in the size of the Permit Area? Acres: _____ increase decrease.
- Yes No 2. Is the application submitted as a result of a Division Order? DO# _____
- Yes No 3. Does the application include operations outside a previously identified Cumulative Hydrologic Impact Area?
- Yes No 4. Does the application include operations in hydrologic basins other than as currently approved?
- Yes No 5. Does the application result from cancellation, reduction or increase of insurance or reclamation bond?
- Yes No 6. Does the application require or include public notice publication?
- Yes No 7. Does the application require or include ownership, control, right-of-entry, or compliance information?
- Yes No 8. Is proposed activity within 100 feet of a public road or cemetery or 300 feet of an occupied dwelling?
- Yes No 9. Is the application submitted as a result of a Violation? NOV # _____
- Yes No 10. Is the application submitted as a result of other laws or regulations or policies?
Explain: _____
- Yes No 11. Does the application affect the surface landowner or change the post mining land use?
- Yes No 12. Does the application require or include underground design or mine sequence and timing? (Modification of R2P2)
- Yes No 13. Does the application require or include collection and reporting of any baseline information?
- Yes No 14. Could the application have any effect on wildlife or vegetation outside the current disturbed area?
- Yes No 15. Does the application require or include soil removal, storage or placement?
- Yes No 16. Does the application require or include vegetation monitoring, removal or revegetation activities?
- Yes No 17. Does the application require or include construction, modification, or removal of surface facilities?
- Yes No 18. Does the application require or include water monitoring, sediment or drainage control measures?
- Yes No 19. Does the application require or include certified designs, maps or calculation?
- Yes No 20. Does the application require or include subsidence control or monitoring?
- Yes No 21. Have reclamation costs for bonding been provided?
- Yes No 22. Does the application involve a perennial stream, a stream buffer zone or discharges to a stream?
- Yes No 23. Does the application affect permits issued by other agencies or permits issued to other entities?

Please attach four (4) review copies of the application. If the mine is on or adjacent to Forest Service land please submit five (5) copies, thank you. (These numbers include a copy for the Price Field Office)

I hereby certify that I am a responsible official of the applicant and that the information contained in this application is true and correct to the best of my information and belief in all respects with the laws of Utah in reference to commitments, undertakings, and obligations, herein.

Kenneth Fleck Kenneth S. Fleck Manager of Environmental Affairs 1/23/08
 Print Name Sign Name, Position, Date

Subscribed and sworn to before me this 23rd day of JANUARY, 2008

 Notary Public
 My commission Expires: 11-23, 2008
 Attest: State of UTAH } ss:
 County of EMERY



For Office Use Only:	Assigned Tracking Number:	Received by Oil, Gas & Mining
		 JAN 28 2008

PacifiCorp
Energy West Mining

Deer Creek Mine
C/015/0018

**Deficiency Response to Notice of Intent to Conduct Minor
Coal Exploration, Task ID #2886, PacifiCorp, Deer Creek
Mine, C/015/0018, Emery County, Utah**

Pages 9 through 11 - Redline Copies (3)

**Insert into Notice of Intention to Conduct Minor Coal
Exploration, Utah State Coal Lease ML-48258, November
2007**

**NOTICE OF INTENT TO CONDUCT
MINOR COAL EXPLORATION
UTAH STATE COAL LEASE ML-48258**

PacifiCorp will make sufficient copies of all coal exploration permit documents, including the Notice of Intent, the Forest Service drilling stipulations, and all applicable road use, special use, and other permit documents at each drill site, and in each field vehicle used during the exploration program, for the duration of the program.

R645-202-200. Performance Standards.

- 210. Requirements of the State Program.** All coal exploration and reclamation operations which substantially disturb the natural land surface will be conducted in accordance with the coal exploration requirements of the State Program, and any conditions on approval for exploration and reclamation imposed by the Division.

PacifiCorp will comply with all coal exploration requirements of the State Program, and any conditions on approval of the exploration plan.

- 220. Inspection and Enforcement.** Any person who conducts any coal exploration in violation of the State Program will be subject to the provisions of 40-10-20 of the Act and the applicable inspection and enforcement provisions of the R645 Rules.

PacifiCorp will comply with all coal exploration requirements of the State Program, and any conditions on approval of the exploration plan. PacifiCorp welcomes inspection of its exploration operations at any time during exploration.

230. Operational Standards.

- 231. Non-Disturbance of Habitats.** Habitats of unique or unusually high value for fish, wildlife, and other related environmental values and critical habitats of endangered or threatened species identified pursuant to the Endangered Species Act of 1973 (16 U.S.C. 1531 et. seq.) will not be disturbed during coal exploration.

The vegetation in the area (refer to Deer Creek MRP, Volume 12, Biology chapter, pages 3-1 through 3-5 and also Map MFS1821D in the Maps Section) consists of a Cottonwood/Aspen/Fir/Dogwood community in the bottom of the canyons and Spruce-Fir Coniferous Forest inter-mixed with aspen communities on the south side slopes and dense Spruce-Fir Coniferous Forest on the north slopes. The primary land uses associated with the area are wildlife habitat,

**NOTICE OF INTENT TO CONDUCT
MINOR COAL EXPLORATION
UTAH STATE COAL LEASE ML-48258**

livestock grazing and recreation. The area is presently classified for the following wildlife uses by the Utah Division of Wildlife Resources (DWR):

Mule Deer	High Priority Summer Range
Elk	Critical Winter Range and High Priority Summer Range

The proposed drilling is not expected to have a detrimental impact on any of these species, their habitat or other land uses associated with the area.

Surveys for Threatened, Endangered and Sensitive (TES) plant and animal species have been conducted in connection with various projects in this area of Rilda Canyon (Surface Facilities, Permit Extension and Powerline) and the Mill Fork coal leasing process (refer to Deer Creek MRP, Volume 12, Biology chapter for all information concerning TES species within the Mill Fork area). Results of these surveys have been provided to the various regulatory agencies in the applications for the projects. No TES plants and animals have been found in the area of the proposed drill holes.

Energy West in cooperation with the Division of Wildlife Resources, conducts annual raptor surveys in and adjacent to mine permit boundaries, including the Mill Fork State Lease ML-48258 (refer to Raptor Location and Status - 2007 Survey Data results located in the Minor Exploration Coal Exploration confidential envelope). Raptor activity in Mill Fork Area was evaluated during May 2007. Based on the previous surveys, the proposed 2008 drill sites located in Crandall Canyon and the flight lines from the primary staging area in Joes Valley, all exploration activities are outside ½ mile protective buffer zones. Status of the 2008 raptor activity will be evaluated prior to use of the secondary staging area in Mill Fork Canyon.

PacifiCorp proposes to commence helicopter supported drilling operations on May 15, 2008. To reduce potential raptor impacts, PacifiCorp will comply to the following:

- all non-essential flights will be conducted at 1000 feet above ground level.
- Joes Valley staging area will be considered the primary site
- Mill Fork staging area will be located at the end of the FDR #245 and will be considered the secondary site and will be used based on the 2008 raptor survey results

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In recent years the surface management agency (Forest Service) has expressed concern related to potential impacts to the Northern Goshawk (management indicator specie for the Manti -La Sal National Forest). As stated in the: State of Utah School and Institutional Trust Lands Administration (SITLA) Access Road on East Mountain Final Environmental Impact Statement prepared by the Forest Service (page 76), *Goshawk nest sites are usually located in dense, mature forests with relatively large trees, near water, and on benches of relatively little slope. On page 78 the Final Environmental Impact Statement states that, "In order to reduce potential direct impacts to the goshawk, known goshawk territories will be monitored prior to implementation of project activity. If a territory is active, no project related activity would occur within a 30-acre buffer around the active nest between March 1 and September 30. In addition, no construction, drilling activity or commercial traffic will be allowed within 0.5 mile of an active goshawk nest between March 1 and August 15, unless a Forest Service biologist determines that the activity would not likely lead to nest abandonment or reduce survival potential for fledglings.*

In past drilling activities associated with the Mill Fork lease, Forest Service biologists have identified two goshawk territories. Proposed drilling activities and associated flightlines for 2008 have been situated to minimize potential impacts to the goshawk territories.

- 232. Road Construction and Use.** All roads or other transportation facilities used for coal exploration will comply with the applicable provisions of R645-301-358...R645-301-762.

PacifiCorp will use only existing roads for this project. No new roads will be constructed.

- 233. Topsoil Removal and Storage.** Topsoil will be separately removed, stored, and redistributed on areas disturbed by coal exploration activities as necessary to assure successful revegetation or as required by the Division.

The method of drilling used by PacifiCorp for these holes assures that topsoil is not disturbed except where small excavations are made necessary for leveling the rig and associated components. Brattice ground cover is used under the rig to protect the topsoil and surface vegetation; therefore the topsoil is not disturbed.

PacifiCorp
Energy West Mining

Deer Creek Mine
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